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5 Attorneys for Complainant  
6

7 **BEFORE THE**  
8 **MEDICAL BOARD OF CALIFORNIA**  
9 **DIVISION OF MEDICAL QUALITY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation	)	NO. D-4424
12 Against:	)	
13 JUNG HI KIM, M.D.	)	
14 18905 Sherman Way, Suite 201	)	STIPULATED SETTLEMENT
15 Reseda, CA 91335	)	AND
16 Physician and Surgeon's	)	DISCIPLINARY ORDER
17 Certificate No. A-37421,	)	
18 Respondent.	)	

18 IT IS HEREBY STIPULATED AND AGREED, by and between the  
19 parties to the above-entitled proceedings, that the following  
20 matters are true:

21 1. An Accusation, case number D-4424, is currently  
22 pending against Jung Hi Kim, M.D. (hereinafter the "respondent"),  
23 said Accusation having been filed with the Board on December 17,  
24 1990.

25 2. The Accusation, together with all other  
26 statutorily required documents, was duly served on the respondent  
27 on or about December 17, 1990, and respondent filed his Notice of

1 Defense contesting the Accusation on or about December 21, 1990.  
2 A copy of Accusation No. D-4424 is attached as Attachment "A" and  
3 hereby incorporated by reference as if fully set forth.

4 3. The then-complainant, Kenneth J. Wagstaff, was the  
5 Executive Director of the Medical Board of California  
6 (hereinafter the "Board") and brought this action solely in his  
7 official capacity.

8 4. At all times relevant herein, respondent has been  
9 licensed by the Medical Board of California under physician and  
10 surgeon's certificate number A-37421.

11 5. The respondent has retained Robert H. Gans, Esq.,  
12 to act as her legal counsel in this matter.

13 6. The respondent and her attorney have fully  
14 discussed the charges contained in Accusation number D-4424, and  
15 the respondent has been fully advised regarding her legal rights  
16 and the effects of this stipulation.

17 7. Respondent understands the nature of the charges  
18 alleged in the instant Accusation as constituting causes for  
19 imposing discipline upon her physician and surgeon's certificate.  
20 Respondent is fully aware of her right to a hearing on the  
21 charges contained in said Accusation, her right to confront and  
22 cross-examine witnesses against her, her right to  
23 reconsideration, appeal and any and all other rights which may be  
24 accorded her under the California Administrative Procedure Act  
25 and, with this in mind, freely, voluntarily and irrevocably  
26 waives and gives up such rights.

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1           8.   Respondent admits the truth of each and every  
2 allegation in Accusation No. D-4424, and agrees that she has  
3 thereby subjected her license to disciplinary action. The  
4 admissions made by respondent herein are for the purposes of this  
5 proceeding and any other disciplinary proceedings by the Board,  
6 and shall have no force and effect in any other case or  
7 proceedings. Respondent agrees to be bound by the Board's  
8 Disciplinary Order as set out below.

9           9.   In consideration of the foregoing admissions and  
10 findings, the parties stipulate and agree that the Board shall,  
11 without further notice or formal proceeding, issue and enter the  
12 following order:

13                           DISCIPLINARY ORDER

14           IT IS HEREBY ORDERED that physician and surgeon's  
15 certificate number A-37421 issued to Jung Hi Kim, M.D., is  
16 revoked. However, said revocation is stayed and respondent is  
17 placed on probation for five (5) years on the following terms and  
18 conditions:

19           1.   Within 90 days of the effective date of this  
20 Decision, and on an annual basis thereafter, respondent shall  
21 submit to the Division for its prior approval an educational  
22 program or course related to family medical practice, which shall  
23 not be less than 40 hours per year for each year of probation.  
24 This program shall be in addition to the continuing medical  
25 education requirements for re-licensure. Following the  
26 completion of each course, the Division or its designee may  
27 administer an examination to test respondent's knowledge of the

1 course. Respondent shall provide proof of attendance for 65  
2 hours of continuing medical education of which 40 hours were in  
3 satisfaction of this condition and were approved in advance by  
4 the Division or its designee.

5           2. On the effective date of this Decision, respondent  
6 shall restrict her medical practice to pediatrics.

7           3. Within 30 days of the effective date of this  
8 Decision, respondent shall submit to the Division for its prior  
9 approval a plan of practice in which respondent's practice shall  
10 be monitored by another physician in respondent's field of  
11 practice, who shall provide periodic reports to the Division.

12           If the monitor resigns or is no longer available,  
13 respondent shall, within 15 days, move to have a new monitor  
14 appointed, through nomination by respondent and approval by the  
15 Division.

16           4. Respondent shall obey all federal, state, and  
17 local laws, and all rules governing the practice of medicine in  
18 California.

19           5. Respondent shall submit quarterly declarations  
20 under penalty of perjury on forms provided by the Division,  
21 stating whether there has been compliance with all the conditions  
22 of probation.

23           6. Respondent shall comply with the Division's  
24 probation surveillance program.

25           7. Respondent shall appear in person for interviews  
26 with the Division's medical consultant upon request at various  
27 intervals and with reasonable notice.

1           8. The period of probation shall not run during the  
2 time respondent is residing or practicing outside the  
3 jurisdiction of California. If, during probation, respondent  
4 moves out of the jurisdiction of California to reside or practice  
5 elsewhere, respondent is required to immediately notify the  
6 Division in writing of the date of departure and the date of  
7 return, if any.

8           9. Upon successful completion of probation,  
9 respondent's certificate will be fully restored.

10          10. If respondent violates probation in any respect,  
11 the Division, after giving respondent notice and the opportunity  
12 to be heard, may revoke probation and carry out the disciplinary  
13 order that was stayed. If an accusation or petition to revoke  
14 probation is filed against respondent during probation, the  
15 Division shall have continuing jurisdiction until the matter is  
16 final, and the period of probation shall be extended until the  
17 matter is final.

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CONTINGENCY

This Stipulation shall be subject to the approval of the Board. If the Board fails to adopt this stipulation as its Order, the stipulation shall be of no force or effect for either party, nor shall it be mentioned or referred to in any legal action between the parties.

ACCEPTANCE

I have read the above Stipulation and Disciplinary Order, understand their terms, and agree to be bound thereby.

DATED: Jan. 22, 1993.

Jung Hi Kim  
JUNG HI KIM, M.D.  
Respondent

DATED: 1/25/93, 1993.

Robert H. Gans  
ROBERT H. GANS  
Attorney for Respondent

\* \* \* \* \*

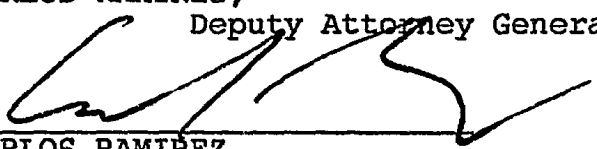
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ENDORSEMENT

The foregoing stipulation is hereby respectfully  
submitted for the consideration of the Board.

DATED: 3/4, 1993.

DANIEL E. LUNGREN, Attorney General  
CARLOS RAMIREZ,  
Deputy Attorney General



CARLOS RAMIREZ  
Deputy Attorney General

Attorneys for Complainant

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DECISION AND ORDER  
OF THE BOARD

The foregoing Stipulation and Order, in case number D-4424, is hereby adopted as the Order of the Medical Board of California, Division of Medical Quality. An effective date of June 24, 1993, has been assigned to this Decision and Order.

Made this 25th day of May, 1993.

MEDICAL BOARD OF CALIFORNIA

By *Theresa J. Klassen*

Attachment: Accusation  
c:Kim.Stp



1 JOHN K. VAN DE KAMP, Attorney General  
of the State of California  
2 CARLOS RAMIREZ,  
Deputy Attorney General  
3 3580 Wilshire Boulevard, Suite 500  
Los Angeles, California 90010  
4 Telephone: (213) 736-2071

5 Attorneys for Complainant

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7 BEFORE THE  
DIVISION OF MEDICAL QUALITY  
8 MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
9 STATE OF CALIFORNIA

10 In the Matter of the Accusation  
11 Against:

12 JUNG HI KIM, M.D.  
18905 Sherman Way,  
13 Suite 201  
Reseda, CA 91335

14 Physician's and Surgeon's  
15 Certificate No. A 37421

NO. D-4424  
ACCUSATION

16 Complainant alleges as follows:

17 1. Complainant, Kenneth J. Wagstaff, is the Executive  
18 Director of the Medical Board of California of the Department of  
19 Consumer Affairs, State of California (hereinafter "Board") and  
20 makes and files this accusation in his official capacity.

21 2. On or about September 16, 1981, the Board issued  
22 physician's and surgeon's certificate number A 37421 to Jung Hi  
23 Kim, M.D. (hereinafter "respondent"). Respondent's certificate  
24 is currently in good standing and will expire on December 31,  
25 1990.

26 3. Pursuant to the provisions of sections 2227, 2228,  
27 2229 and 2234 of the Business and Professions Code (all sectional

1 references are to the Business and Professions Code unless  
2 otherwise noted), the Division of Medical Quality (hereinafter  
3 the "Division") of the Board may discipline any holder of a  
4 certificate who is guilty of unprofessional conduct.

5 4. Section 2234 provides that the Division shall take  
6 action against any licensee who is charged with unprofessional  
7 conduct including, but not limited to, (c) repeated negligent  
8 acts, and (d) incompetence.

9 5. Respondent is subject to discipline pursuant to  
10 section 2234(c) in that he has committed repeated negligent acts  
11 in discharging his duties as a physician as follows:

12 A. On or about October 23, 1983, Janet S., a two-  
13 month baby, was admitted under respondent's care through the  
14 emergency room at the Northridge Hospital Medical Center.  
15 At the time of admission, Janet S., was suffering from a high  
16 fever, irritability and dehydration. After admitting Janet  
17 S., respondent, without conducting an electrolytes  
18 examination, administered fluids intravenously to Janet S.  
19 Thereafter, respondent, without conducting an examination to  
20 determine the potassium level present in Janet S., ordered  
21 that a dosage of potassium chloride be administered  
22 intravenously to Janet S. On or about October 30, 1983,  
23 respondent knew that Janet S. had a potassium level of 6.1,  
24 but failed to have the laboratory verify the accuracy of the  
25 reported level and continued to administer potassium  
26 chloride intravenously to Janet S.

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1           B.    On or about December 12, 1983, Baby M., a two-day  
2   old infant, developed jaundice. Respondent, while treating  
3   Baby M. for jaundice, failed to diagnose the consequences of  
4   bilirubin levels, failed to timely seek and obtain the  
5   consultation of a neonatologist, and unnecessarily delayed  
6   the medical treatment of Baby M.

7           C.    On or about August 8, 1986, Baby J., a four-week  
8   old infant, was admitted to the Northridge Hospital Medical  
9   Center with a history of vomiting and inability to retain  
10  anything by mouth. Baby J. was placed under respondent's  
11  care. Respondent, while treating Baby J., ordered an  
12  electrolytes analysis. When the results of the examination  
13  were made known to respondent, he failed to recognize  
14  electrolyte abnormalities, failed to timely repeat the  
15  electrolytes analysis, and failed to timely consult an  
16  neonatologist regarding the medical condition of Baby M.,  
17  and caused unnecessary delay in the medical treatment of  
18  Baby M.

19           6.   Respondent is subject to discipline pursuant to  
20  section 2234(d) in that the conduct alleged in paragraphs 5 A, B,  
21  and C of this accusation, incorporated by reference as though  
22  fully set forth at this point, constitute incompetence.

23           WHEREFORE, complainant prays that the Division hold a  
24  hearing on the matters alleged herein, and following said  
25  hearing, issue a decision:

26           1.   Revoking or suspending physician's and surgeon's  
27  certificate number A-37421 issued to Jung Hi Kim, M.D.;

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2. Taking such other action as provided in sections  
2227 and 2228; and
3. Taking such other action as it deems proper.

DATED: 15/ DEC. 17, 1990.

15/ Kenneth J. Wagstaff  
KENNETH J. WAGSTAFF  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California

Complainant

cc: Jung  
03573110LA89AD3025  
CR:jb